

**US Environmental Protection Agency
Region 10 Office of Air, Waste, and Toxics
CLEAN AIR ACT (CAA) TRIBAL PROGRAM
FY 2008 FUNDING OPPORTUNITY**

CFDA Number 66.001 –Air Pollution Control Program Support [CAA §105]

**CFDA Number 66.034 – Surveys, Studies, Investigations, Demonstrations and Special
Purpose Activities Related to the Clean Air Act [CAA §103]**

CFDA Number 66.473 – Direct Implementation Tribal Cooperative Agreements [DITCA]

Grant Process Timeline

Funding Announcement..... **December 6, 2007**
Proposal (Work plan and Budget) to EPA by **January 31, 2008**
EPA internal review **February 1, 2008 – February 29, 2008**
EPA will begin contacting selected applicants **March 1, 2008**
Complete application package to EPA **no later than May 1, 2008**

Summary of Significant Features of the Tribal Air Application Process

- Progressive application process: Proposed workplans and budgets are due to EPA by January 31st deadline, followed by internal EPA review, negotiation with the applicant, and a formal and complete application package submitted after agreement has been reached on work plans and budgets.
- Proposals may be mailed (Return Receipt Requested) or emailed such that EPA receives them no later than January 31, 2008. A Project Officer will contact the selected applicant's staff after the internal EPA review period to arrange timelines for revisions and submission of the final application. Those not selected for award this year will be notified by June 30, 2008. Should funding remain after awards are made to selected applicants, EPA reserves the right to make additional awards to Region 10 tribes at its discretion.
- Tribes currently receiving financial support through CAA §105 will receive priority for ongoing funding *based upon sufficient evidence of an ongoing air pollution concern and tribal performance capacity to address it*. Multi-year work plans will be accepted from current recipients with demonstrated administrative, financial and programmatic capability.
- Tribes or consortia seeking funding to assist EPA with implementation of the CAA rules and regulations, particularly the Federal Air Rules for Reservation in Idaho, Oregon, and Washington (FARR) should *clearly indicate this on their proposals*.
- Tribes that are uncertain as to which grant authority (CAA §103, §CAA, or DITCA) may be appropriate for funding the proposed activities and objectives can discuss this with EPA once their proposal has been initially accepted for further negotiation.

FUNDING OPPORTUNITY DESCRIPTION

Background and Purpose

It is EPA policy to work with tribes on a government-to-government basis to enhance environmental protection in Indian country and tribal communities. The 1990 Clean Air Act Amendments included several provisions authorizing tribal governments to develop federally enforceable programs to manage air quality in Indian country. The Tribal Authority Rule (40 CFR, §49.1 et seq.) of 1998 created the mechanism for a tribe to qualify for “treatment in the same manner as a state” (TAS) for severable portions of the CAA, as they developed the capacity and desire to do so. Until tribes have the technical capacity and choose to develop independent air quality management programs, EPA has the responsibility to implement the CAA throughout Indian country. EPA welcomes tribes to partner with them in carrying out CAA implementation activities.

ELIGIBILITY INFORMATION

Matching Costs

Tribes receiving grant support under either CAA §103 or DITCA authority are not required to contribute toward program costs through either financial or in-kind percentage match or cost sharing. Such a match is, however, required by CAA §105 grantees in an amount from as much as 40% to as little as 5% relating to whether the tribe has been found eligible by EPA to be treated in the same manner as a state (TAS) under the Tribal Authority Rule or certain other specific situations.

Eligible Recipients

All federally-recognized tribes and tribal consortia in Region 10 are eligible to receive funds.

A tribal consortium is defined as a partnership between two or more tribes authorized by the governing bodies of those tribes to apply for and receive assistance under the particular EPA grant program program. A tribal consortium is eligible to receive grants if the consortium can adequately document compliance with the following requirements:

1. A majority of its member tribes meet the eligibility requirements to receive CAA grants;
2. All member tribes that meet the eligibility requirements authorize the consortium to apply for and receive the grant; and
3. Only member tribes that meet eligibility requirements will directly benefit from the grant project and the consortium will agree to a grant condition to that affect;
4. Consortia must include tribal resolutions or other official documentation from each - eligible member tribe with its full application. Resolutions should specify the period of time authorized by the member tribe to apply for the consortia project.

Eligible Activities

CAA §105: Implementation of programs for the prevention and control of air pollution or implementation of national primary and secondary ambient air quality standards, including activities related to the planning, developing, establishing, carrying-out, improving, or maintaining of such programs.

Direct Implementation Tribal Cooperative Agreements (DITCAs): Assisting EPA with any activity required to implement the Clean Air Act or supporting regulations.

CAA 103: Investigations, experiments, demonstrations, surveys and studies relating to the causes, effects, extent, prevention, and control of air pollution..

FUNDING PRIORITIES

This grant opportunity for tribes and tribal consortia is exempt from the EPA Grants Competition Policy (EPA Order 5700.5A1) under Section 6(c)2. All applications that meet the requirements set forth in program regulations and guidance will be funded so long as funds are available, with funding priority based on the three factors of (1) severity of air pollution, (2) sources of air pollution subject to tribal jurisdiction, (3) size and population of the reservation and (4) other evidence of ability to contribute to addressing air pollution concern. Applicants are encouraged to submit, as attachments, evidence or documentation on the severity and sources of air pollution within their jurisdiction for consideration in prioritizing their request for funding support, such as an air quality assessment, emissions inventory analysis, or other similar evidence on area, point or mobile sources impacting air quality. The funding available to Region 10 tribes and tribal consortia in federal fiscal year 2008 is not sufficient to provide grant resources to all tribes that may apply.

Base Funding

We anticipate that an increasingly large portion of Region 10 grant funding to be first awarded to assure base funding for all federally recognized Region 10 Tribes and consortia having established eligibility under CAA §105 or with whom DITCAs have been negotiated. For that reason, we expect to provide relatively less funding for special projects and initial air quality assessment needs. Tribes are encouraged to explore the availability of other sources of funding for these activities, simultaneously with submitting proposals under this grant opportunity. Any proposals that are also being submitted to other funding sources for consideration should have this fact so indicated *clearly on their face page*, stating the name of the other program and the extent to which there are similar objectives in both grant applications.

- Consistent with the national CAA allocation formula, base funding is considered not less than \$25,000 per year for most Tribes. Tribes with large reservations may receive up to \$150,000.
- We would like to provide funding for up to two years to those existing recipients with a strong record of achieving outputs and outcomes and otherwise demonstrating sound grants management. Multi-year proposals are encouraged; but applicants should discuss these with their project officer before submitting them.

Additional Funding Opportunities

Region 10 may have some funding for a limited number of CAA §103 special projects. However, initial air quality assessments and surveys needed to identify the type and severity of air pollution sources impacting a reservation may need to be first completed with other funding sources, such as the EPA Indian General Assistance Program (IGAP), in order to document the existence and nature of any air pollution concern to be addressed with the limited CAA grant funds.

Because funding is limited, EPA is initially requesting a minimum of information about special projects, whether supplemental to a core program or as a special study where no ongoing program exists. Consortia and tribes without reservations may wish to apply under this provision. Abstracts of these projects are due by the same deadline as base funding proposals, January 31, 2008. All abstracts will be reviewed, and applicants with projects having a good likelihood to be funded will be requested to develop full work plans and budgets for those projects.

Circuit Riders: Tribes or consortia interested in pursuing funding for CAA activities or support on multiple reservations may wish to consider a CAA 103 proposal based upon using a “circuit rider” where there are common needs by two or more tribes within a reasonably loose geographical area. This could increase the likelihood of funding for tribes with relatively low priority based upon the four factors that will be used in the evaluation

REQUIRED PROPOSAL ELEMENTS

Basic Funding Proposals

Proposals should be postmarked no later than Friday, **January 31, 2008** and must contain the following information to be considered:

Work plan, to contain the following elements:

- 1) Narrative description of risks to human health and the environment to be addressed by the applicant, and their relation to any environmental assessment or strategy efforts conducted to date.
- 2) Plans describing how the proposed work will help address environmental and human health risks;
- 3) Outputs (i.e. grant deliverables) related to the proposed activities and objectives and description of how these outputs are expected to contribute to eliminating or reducing environmental and human health risks; and
- 4) For each set of planned actions to be funded under the grant; the estimated work years, estimated funding amounts and a time frame for their accomplishment;
- 5) A performance evaluation process and reporting schedule in accordance with 40 CFR 35.515.

Budget Narrative

A budget narrative, broken out by federal object categories (see Section B-Budget Categories of the Budget Information-Non-Construction Programs, SF 424A) and by each year of the project, must be included in the proposal.

Guidance on Content and Related Requirements:

An adequate description of the environmental results that will be achieved from the proposed workplan is critical to an approvable application. EPA Order 5700.7 *Environmental Results under EPA Assistance Agreements* <<http://www.epa.gov/ogd/grants/award/5700.7.pdf>> should be referenced for guidance, requirements, and examples to help in providing this explanation. There must be a plan for tracking and measuring the outputs and outcomes that will produce the intended environmental results and that fall within the EPA Strategic Plan. The following website provides explanations and guidance on environmental results requirements and use of the logic model to identify appropriate outputs, outcomes, and objectives.

<http://www.epa.gov/ogd/grants/assistance.htm>

<http://yosemite.epa.gov/R10/ECOCOMM.NSF/webpage/measuring+environmental+results>

http://www.epa.gov/ocfopage/plan/2006/goal_1.pdf

For suggestions of possible activities and objectives relevant to addressing air quality through tribal Clean Air Act grants, the Menu of Options: A Framework for Managing Tribal Air Grants for Environmental Results provides templates for a wide variety of goals, including suggested tasks, outputs, outcomes, and measures. It and other guidance can be found on Region 10's Air Tribal Page at:

<http://yosemite.epa.gov/R10/AIRPAGE.NSF/webpage/Tribal+Air+Program+Main+Page>

Note: This announcement requests that proposals be submitted by January 31, 2008. While proposals submitted after that date may be considered on a case-by-case basis and as resources allow, submitting a proposal after January 31, 2008 may significantly jeopardize funding.

MANAGEMENT CAPACITY

All grant applicants must demonstrate sound financial, administrative and programmatic management capability.

For current or previous recipients, this includes:

- timeliness and completeness of reports;
- progress under the current work plan;
- absence of duplicative activities in proposed work plan and budget; and
- amount of unexpended funds.

For recipients with past performance issues, the application should include a discussion of the steps the applicant has taken to address issues and correct past administrative, financial or programmatic challenges. If the applicant has not applied for an EPA grant in the past, or past performance merits the review of the applicant's administrative or financial systems, a pre-award review may be required prior to the submission of an application. A Project Officer will contact the applicant to schedule this review if necessary.

AWARD ADMINISTRATION

Applicants awarded funding must comply with the terms and conditions of the grant award as well as the federal regulations governing the award and the administration of environmental programs for Tribes and tribal consortia, found in Title 40 of the Code of Federal Regulations (CFR), Parts 31 and 35, Subpart B (40 CFR 35.500-35.518). EPA highly recommends that grant applicants carefully review and understand all grant award documents prior to accepting the grant. If questions or concerns arise during that review, contact your tribal coordinator.

AGENCY CONTACTS

In order for your application to be considered for funding, please submit proposals and/or abstracts with a postmark date no later than **Thursday, January 31, 2008**

US EPA, Region 10, Suite 900
1200 Sixth Avenue, AWT-107
Seattle, WA 98101-1128
Attn: Mary Manous

Thank you for your interest in the Clean Air Act Tribal Program. If after reviewing the enclosed application package, you have any questions about the application process or grant requirements, please contact a CAA Tribal Project Officer:

Mary Manous	206/553-1059
Doug Cole	208/378-5764
Angel McCormack	206/553-1498

OTHER INFORMATION

Dispute Procedures can be found at 40 CFR Part 30.63 and 40 CFR Part 31.70.

Confidentiality

Applicants must clearly mark information they consider confidential. EPA will make confidentiality decisions in accordance with Agency regulations found at 40 CFR 2, Subpart B. EPA reserves the right to reject any applications, deny funding after an application has been submitted or tentatively awarded, or to not make any awards.